

1  
2  
3  
4  
5  
6 UNITED STATES DISTRICT COURT  
7 NORTHERN DISTRICT OF CALIFORNIA  
8

9 DAVID P. BROWN,

No. C 05-2937 SI (pr)

10 Plaintiff,

**ORDER**

11 v.

12 JEANNE WOODFORD, CDCR Director;  
13 et al.,

14 Defendants.  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Plaintiff has sent to the court a letter in which he states that more than six months ago he may have retained an attorney at Community Resources For Independence in Santa Rosa to represent him in this action and turned over his paperwork to that organization. He complains that Community Resources and the attorney have not responded to his several letters. He also complains that he is disabled and in pain and has difficulties communicating with the court and Community Resources. His letter concludes that, once he was told he had representation, he stopped doing anything to prosecute this action and asks whether the court has any information for him.

The answer to the letter is that no attorney has appeared to represent plaintiff in this action and, as far as the court is concerned, plaintiff is still representing himself. The court will not get involved in any problems plaintiff has with an attorney/organization that he thinks he has retained to represent him and will do nothing to try to compel that attorney/organization to represent plaintiff. If plaintiff cannot persuade the attorney/organization to represent him, he

1 must prosecute this case on his own. The court has already denied a motion for appointment  
2 of counsel.


3 Defendant filed a motion for judgment on the pleadings on June 2, 2006. Plaintiff has  
4 not filed an opposition to that motion. Plaintiff's opposition to that motion must be filed and  
5 served on defense counsel no later than **February 9, 2007**. No further extensions of this  
6 deadline will be permitted. By the time that deadline arrives, plaintiff will have had over six  
7 months to prepare his opposition to the motion. Regardless of whether plaintiff has or has not  
8 retained an attorney to represent him, plaintiff's opposition must be filed by the deadline.  
9 Defendant's reply brief, if any, must be filed and served no later than **February 23, 2007**.

10 The clerk will update the docket to reflect plaintiff's current address. The clerk also will  
11 send to plaintiff in a separate envelope a copy of the motion for judgment on the pleadings.

12 Finally, the court notes that plaintiff has returned to custody and apparently has not  
13 provided notice of that change of address to defense counsel, despite the court's explicit  
14 direction that plaintiff must serve a copy of any document filed, see Order Of Service, p. 5, and  
15 later explicit direction that plaintiff must notify defense counsel as well as the court of any  
16 change of address, see Order Re. Plaintiff's Address, p. 2. Plaintiff is now specifically ordered  
17 that he must attach to any document he files a proof of service showing that he has mailed a copy  
18 of that document to defense counsel. Failure to attach the proof of service will result in the court  
19 disregarding the document and may result in the imposition of monetary sanctions on plaintiff  
20 for failing to comply with the court's orders.

21 IT IS SO ORDERED.

22 Dated: January 11, 2007

23   
24 \_\_\_\_\_  
25 SUSAN ILLSTON  
26 United States District Judge  
27  
28